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Counsel for Plaintiffs and Proposed Class.

[Additional Counsel on signature page]

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

F.G., H.I., T.U., and V.W., individually and on
behalf of all others similarly situated

Plaintiffs,

v.

COOPERSURGICAL, INC.; THE COOPER
COMPANIES, INC.; and DOES 1-10, inclusive,

Defendants.

Case No. 4:24-cv-01261-JST

Assigned to: Judge Jon S. Tigar

**JOINT STIPULATION AND [PROPOSED]
ORDER TO ADJUST BRIEFING SCHEDULE
FOR DEFENDANTS' MOTION TO STRIKE
AND MOTIONS TO DISMISS PLAINTIFFS'
AMENDED COMPLAINT**

Pursuant to Civil Local Rules 6-2 and 7-12, Plaintiffs and Defendants (the "Parties"), by and through their respective counsel of record, hereby stipulate and agree to adjust the schedule for briefing Defendants' Motion to Strike and Motions to Dismiss Plaintiffs' Amended Complaint, as follows:

WHEREAS, Plaintiffs filed their initial Complaint in this action on March 1, 2023 (Dkt. 1);

WHEREAS, on April 4, 2024, the Court ordered this case related to other actions arising from the same product recall (Dkt. 28);

1 WHEREAS, the Defendants moved to dismiss the complaints in several of the related cases which
2 raised both jurisdictional and substantive challenges to the complaints (Dkt. 38);

3 WHEREAS, following the inintial case management conference and consistent with the Court's
4 guidance, the Court so-ordered a stipulation submitted by the Parties bisecting jurisdictional and venue
5 issues from other issues raised in the motions to dismiss in all related actions, including the class action,
6 and address the jurisdictional and venue issues first through the related *Walden et al. v. CooperSurgical,*
7 *Inc. et al.*, No. 4:24-cv-00903-JST, case (Dkt. 38);

8 WHEREAS, the parties in the related actions completed briefing on jurisdiction and venue issues
9 in *Walden* and a hearing on that briefing is set for September 12, 2024 (No. 24-cv-00903 Dkt. 47);

10 WHEREAS, Plaintiffs in the class action filed the amended, operative class action Complaint in
11 this action on May 23, 2024, which added two California plaintiffs, T.U. and V.W. (Dkt. 53);

12 WHEREAS, on July 11, 2024, Defendants each filed Motions to Dismiss (Dkt. 67, 68) and jointly
13 filed a Motion to Strike Class Allegations (Dkt. 69) which made Plaintiffs' briefs in opposition to all
14 motions due July 25, 2024, and Defendants' reply briefs due August 1, 2024;

15 WHEREAS, Defendants noticed a September 12, 2024 hearing date for all three motions;

16 WHEREAS, on July 17, 2024, the Parties met and conferred to discuss the briefing schedule of all
17 three motions. Plaintiffs inquired whether Defendants would stipulate to stay the briefing in the class
18 action until after the Court entered an order on the jurisdiction and venue issues in *Walden*. Defendants
19 declined, citing the fact that they were not moving on jurisdiction and venue issues as to the California
20 plaintiffs, and noting that Plaintiffs filed an amended complaint after entry of the May 6, 2024 case
21 management order;

22 WHEREAS, on July 18, 2024, to the Parties conferred again and could not reach agreement on
23 staying the case pending resolution of the *Walden* jurisdiction and venue briefing, but agreed to adjust the
24 response and reply deadlines for all three pending motion, making Plaintiffs' opposition to the Motion to
25 Strike due August 1, 2024, and Defendants' reply in support of the Motion to Strike due August 12, 2024,
26 and Plaintiffs' opposition to the Motions to Dismiss due August 12, 2024, and Defendants' reply in support
27 of the Motions to Dismiss due August 29, 2024;

WHEREAS, the requested extension will not prejudice any party and will not impact the timely resolution of this matter;

NOW, THEREFORE, the parties, subject to the Court's approval, hereby stipulate, agree, and respectfully request that the Court enter the following schedule:

Event	Current Date	Proposed Deadline
Plaintiff's opposition to Defendants' motion to strike class allegations	July 25, 2024	August 1, 2024
Plaintiff's opposition to CooperSurgical, Inc.'s motion to dismiss	July 25, 2024	August 12, 2024
Plaintiff's opposition to The Cooper Companies, Inc.'s motion to dismiss	July 25, 2024	August 12, 2024
Defendants' reply in support of motion to strike class allegations	August 1, 2024	August 12, 2024
CooperSurgical, Inc.'s reply in support of motion to dismiss	August 1, 2024	August 29, 2024
The Cooper Companies, Inc.'s reply in support of motion to dismiss	August 1, 2024	August 29, 2024
Hearing on all motions	September 12, 2024	Same

Dated: July 23, 2024

By: /s/ Dena C. Sharp
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Attorneys for Plaintiffs and Proposed Class

Dated: July 23, 2024

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Attorney for Defendants

1 **IT IS SO STIPULATED.**

2 **PUSUANT TO STIPULATION, IT IS SO ORDERED**

3
4 Date: _____

5 HONORABLE JON S. TIGAR
6 United States District Judge
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ATTESTATION OF FILER

Pursuant to Local Rule 5-1(i)(3), the undersigned filer hereby attests that all signatories listed, and on whose behalf the filing is submitted, concur in the filing's content and have authorized the filing.

Dated: July 23, 2024

/s/ Dena C. Sharp
Dena C. Sharp

CERTIFICATE OF SERVICE

I hereby certify that on July 23, 2024, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will automatically send notification of the filing to all counsel of record.

/s/ Dena C. Sharp
Dena C. Sharp